



Patent
Attorney's Docket No. 008111-155

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
Charles M. BUCHANAN et al.)	Group Art Unit: 1623
Application No.: 10/601,877)	Examiner: L. Maier
Filed: June 24, 2003)	Confirmation No.: 1308
For: CYCLODEXTRIN SULFONATES,)	
GUEST INCLUSION COMPLEXES,)	
METHODS OF MAKING THE SAME)	
AND RELATED MATERIALS)	

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a response to the restriction requirement set forth in the Office Action dated August 11, 2004.

For clarity of the record, it should be noted that claims 1-14 (the invention of Group I) were canceled in the paper entitled "Request for Filing Continuation/Divisional Application Under 37 C.F.R. § 1.53(b)," filed on June 24, 2003. Therefore, they need not be included in the requirement.

This oversight appears to be harmless though, since Applicants are electing the invention of Group II (claims 15-19), drawn to sulfonate derivatives of dihydroxybutane. The election is made with traverse.

MPEP § 803 states that an application may be properly restricted to one or more claimed inventions only if (1) the inventions are independent or distinct as claimed, and (2) there is a serious burden on the Examiner if restriction is not

required. Thus, even if appropriate reasons exist for requiring restriction, such a requirement should not be made unless there is an undue burden on the Examiner to examine all the claims in a single application. Here, it would appear that the searches involved for the claims would be coextensive. As such, it is not believed to be a serious burden on the Examiner to examine all the claims.

Accordingly, for at least all of the reasons set forth above, withdrawal of the requirement for restriction is requested.


From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

If the Examiner has any questions concerning this Reply, or the application in general, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: September 16, 2004

By: 
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Charles M. Buchanan et al.

Application No.: 10/601,877

Filing Date: June 24, 2003

Title: CYCLODEXTRIN SULFONATES, GUEST INCLUSION COMPLEXES, METHODS OF MAKING THE SAME AND RELATED MATERIALS

Group Art Unit: 1623

Examiner: LEIGH C MAIER

Confirmation No.: 1308

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

☒ A Petition for Extension of Time is also enclosed.

☐ Terminal Disclaimer(s) and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are _____

☐ Small entity status is hereby claimed.

☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.

☐ Applicant(s) previously submitted _____

_____ on _____
for which continued examination is requested.

☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	8	MINUS 8 =	0	x \$18.00 (1202) =	\$ 0.00
Independent Claims	8	MINUS 8 =	0	x \$86.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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(703) 836-6620

By



Nhat D. Phan
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Date: September 16, 2004